

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

LYNETTE NIGRO,

CV 07-128-M-DWM

Plaintiff,

vs.

ORDER

BRIDGESTONE AMERICAS
HOLDINGS, INC.,

Defendant.

As contemplated by the Court's February 19, 2009, Order,

IT IS ORDERED that the settlement conference in this case is reset for **May 27, 2009, at 9:00 a.m.**, at the Russell Smith Courthouse, 201 E. Broadway, Missoula, Montana. Counsel are directed to report to the United States Magistrate Judge's Courtroom on the first floor of the Courthouse at that time.

ULTIMATE SETTLEMENT AUTHORITY

It shall be the responsibility of counsel to ensure that all named parties with ultimate settlement authority in this case are present in person at the settlement conference. If a corporation is so named, or if an insurance carrier or governmental agency is involved, then the representative with ultimate settlement authority for said

corporation, governmental agency and/or insurance carrier shall be present in person at the settlement conference. Availability of the named parties and/or corporate, insurance carrier, or governmental agency representatives by telephone will not be acceptable. "**Ultimate settlement authority**" means the absolute discretionary authority to settle the case up to the amount of the Plaintiff's last settlement demand or the amount claimed in the Complaint, whichever is less.

SANCTIONS

Failure to comply with the conditions set forth above, including appearance in person, or as otherwise directed herein, with ultimate settlement authority, or failure to negotiate in good faith, shall result in the imposition of the following sanctions:

1. Reimbursement of all costs incurred by the party in compliance, including attorneys fees, travel costs, wages, and any other legitimate expenses.
2. The immediate rescheduling of the conference with the continued requirement that a person with ultimate settlement authority be present.
3. Such other sanctions as the court deems appropriate to assure compliance.

SETTLEMENT BROCHURES

The Court will rely on the settlement brochures previously provided by the parties. The parties may, however, supplement those brochures if new information

has since come to light that is relevant to their respective positions. If the parties submit supplemental brochures, they shall do so on or before May 20, 2009.

DATED this 14th day of April, 2009.

/s/ Jeremiah C. Lynch
Jeremiah C. Lynch
United States Magistrate Judge